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Attorneys for Defendants, TRAVELERS CASUALTY
 & SURETY COMPANY (f/k/a THE AETNA CASUALTY
 & SURETY COMPANY); ST. PAUL FIRE AND MARINE
 INSURANCE COMPANY; THE TRAVELERS COMPANIES, INC.
 (erroneously sued as THE ST. PAUL TRAVELERS
 COMPANIES, INC.); and THE STANDARD FIRE INSURANCE
 COMPANY (erroneously sued and served as THE STANDARD
 INSURANCE COMPANY)

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DEL WEBB CORPORATION; DEL WEBB
 COMMUNITIES, INC.; TERRA VITA
 HOME CONSTRUCTION CO.; and DEL
 WEBB'S COVENTRY HOMES OF
 NEVADA, INC.,

Plaintiffs,

vs.

TRAVELERS CASUALTY & SURETY
 COMPANY (formerly known as THE
 AETNA CASUALTY & SURETY
 COMPANY); ST. PAUL FIRE AND
 MARINE INSURANCE COMPANY; THE
 ST. PAUL TRAVELERS COMPANIES,
 INC. (formerly known as THE ST. PAUL
 COMPANIES, INC.); THE TRAVELERS
 COMPANIES, INC.; THE STANDARD
 INSURANCE COMPANY; AMERICAN
 GUARANTEE & LIABILITY INSURANCE
 COMPANY; FEDERAL INSURANCE
 COMPANY; THE CHUBB GROUP OF
 INSURANCE COMPANIES; and DOES 1-
 50,

Defendants.

CASE NO.
 Assigned to:

**NOTICE OF REMOVAL OF ACTION
 UNDER 28 U.S.C. §1441(a) (DIVERSITY)**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that defendants Travelers Casualty & Surety Company (f/k/a The Aetna Casualty & Surety Company); St. Paul Fire and Marine Insurance Company; The Travelers Companies, Inc. (also erroneously sued as The St. Paul Travelers Companies, Inc.); and The Standard Fire Insurance Company (erroneously sued and served as The Standard Insurance Company) (collectively "Travelers"), hereby remove to this Court the state court action described below.

1. On January 21, 2010, an action was commenced in the District Court for Clark County, Nevada entitled Del Webb Corporation, et al. v. Travelers Casualty Surety & Company, et al., Case Number A-10-608535-B (hereinafter "State Action"). A true and correct copy of the State Action summons and complaint is attached hereto as Exhibit "A."

2. Travelers removes this action to this division of the District of Nevada because the State Action was pending in Clark County, located in the Las Vegas Division of the District of Nevada.

3. The remaining defendants American Guaranty & Liability Insurance Company, Federal Insurance Company and Chubb Group of Insurance Companies join in the removal.

4. On January 21, 2010, plaintiffs Del Webb Corporation, Del Webb Communities, Inc., Terravita Home Construction Co., and Del Webb's Coventry Homes of Nevada, Inc. (collectively "Del Webb") filed the State Action. On January 27, 2010, a copy of the summons and complaint was delivered to the Commissioner of Insurance for the State of Nevada.

5. On February 1, 2010, the Commissioner of Insurance served by certified mail a summons and a copy of the State Action complaint to the following defendants: 1) Travelers Casualty and Surety Company; 2) St. Paul Fire and Marine Insurance Company; 3) Standard Insurance Company; and 4) Federal Insurance Company. A true and correct copy of the Commissioner of Insurance's letter and Proof of Service to Travelers Casualty and Surety Company are attached hereto as Exhibit "B." A true and correct copy of the Proofs of Service to St. Paul Fire, Standard and Federal are attached hereto as Exhibit "C."

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1 6. According to counsel for plaintiffs, on February 5, 2010, plaintiffs attempted to serve
2 the erroneously named defendant Chubb Group of Insurance Companies via the Secretary of State.
3 To date, counsel for Federal Insurance Company and the erroneously named Chubb Group of
4 Insurance Companies has yet to receive confirmation of service of process upon the Chubb Group
5 of Insurance Companies.

6 7. On February 18, 2010, defendant American Guaranty & Liability Insurance Company
7 was served with a copy of the summons and a copy of the State Action complaint. A true and
8 correct copy of the Proof of Service is attached hereto as Exhibit "D."

9 8. At this time, defendant The Travelers Companies, Inc. (also erroneously sued as The
10 St. Paul Travelers Companies, Inc.) has not been served with the summons and copy of the State
11 Action complaint.

12 9. This action is a civil action of which this Court has original jurisdiction under
13 28 U.S.C. § 1332, and is one which may be removed to this Court by defendants pursuant to the
14 provisions of 28 U.S.C. § 1441(a) in that it is a civil action between citizens of different states and
15 the matter in controversy exceeds the sum of \$75,000.

16 10. Travelers is informed and believes that plaintiff Del Webb Corporation was and is a
17 Delaware corporation, and its principal place of business is in Michigan. See, State Action
18 Complaint attached as Exhibit "A," page 2:9-10.

19 11. Travelers is informed and believes that plaintiff Del Webb Communities was and is
20 an Arizona corporation, and its principal place of business is in Michigan. See, State Action
21 Complaint attached as Exhibit "A," page 2:11-12.

22 12. Travelers is informed and believes that plaintiff Terravita Home Construction Co. was
23 and is an Arizona corporation, and its principal place of business is in Michigan. See, State
24 Action Complaint attached as Exhibit "A," page 2:13-14.

25 13. Travelers is informed and believes that plaintiff Del Webb's Coventry Homes of
26 Nevada, Inc. was and is an Arizona corporation, and its principal place of business is in Michigan.
27 See, State Action Complaint attached as Exhibit "A," page 2:15-16.

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1 14. Defendant Travelers Casualty & Surety Company was and is a Connecticut
2 corporation, and its principal place of business is in Connecticut. See, State Action Complaint
3 attached as Exhibit “A,” page 2:17-21.

4 15. Defendant St. Paul Fire & Marine Insurance Company was and is a Minnesota
5 corporation, and its principal place of business is in Minnesota. See, State Action Complaint
6 attached as Exhibit “A,” page 2:22-24;

7 16. Defendant The Travelers Companies, Inc. (also erroneously sued as The St. Paul
8 Travelers Companies, Inc.) was and is a Minnesota corporation, and its principal place of business
9 is in Minnesota. See Exhibit “1” attached to the Declaration of Andrew R. McCloskey.

10 17. Defendant The Standard Fire Insurance Company (erroneously sued and served as
11 The Standard Insurance Company) was and is a Connecticut corporation, and its principal place of
12 business is in Connecticut. See Exhibit “2” attached to the Declaration of Andrew R. McCloskey.

13 18. Travelers is informed and believes that defendant American Guarantee and Liability
14 Insurance Company was and is a New York corporation, and its principal place of business is in
15 New York. See, State Action Complaint attached as Exhibit “A,” page 3:14-17.

16 19. Travelers is informed and believes that defendant Federal Insurance Company is an
17 Indiana corporation, and its principal place of business is in New Jersey. See, State Action
18 Complaint attached as Exhibit “A,” page 3:17-20.

19 20. Travelers is informed and believes that defendant The Chubb Group of Insurance
20 Companies is an erroneously named defendant, as it is not a legal entity.

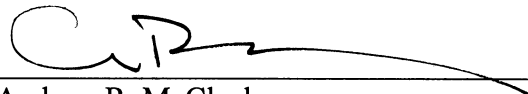
21 21. Travelers is informed and believes that Del Webb is seeking in excess of \$75,000
22 from defendants. In the State Action complaint, Del Webb brought claims for Declaratory
23 Judgment, Breach of Contract, Bad Faith and Unfair Claims Settlement Practices against
24 defendants. Del Webb alleges that it has spent more than \$25 million dollars to investigate and
25 repair damages relating to cracking of concrete foundation slabs made by homeowners residing in
26 the Anthem Country Club, Sun City Anthem, and Coventry developments located in Henderson,
27 Nevada. According to Del Webb, it had asked Travelers and Zurich to defend and indemnify
28 Del Webb with respect to the concrete claims. Del Webb contends that pursuant to policies issued

1 to Del Webb, Travelers, and Federal have a duty to reimburse Del Webb for the costs Del Webb
2 incurred in resolving the concrete claims. Del Webb alleges that Travelers and Federal have failed
3 to defend and indemnify Del Webb for Del Webb's costs to resolve the concrete claims.
4 Del Webb seeks a declaration of the defendants' obligation under the policies issued to Del Webb
5 and for damages arising out of the breach of the policies. As to Travelers, Del Webb alleges that
6 as a result of Travelers' bad faith conduct, Del Webb is entitled to punitive damages and legal
7 costs incurred to obtain policy benefits.

8 22. The summons and the State Action Complaint attached hereto represent all notice,
9 process and proceedings received by Travelers, and to the knowledge of Travelers, no hearings or
10 proceedings have taken place in this action.

11
12 DATED: March 2, 2010

13 Respectfully submitted,
14 LAW OFFICES OF ANDREW R. McCLOSKEY

15 
16 Andrew R. McCloskey

17 Attorneys for Defendants, TRAVELERS CASUALTY
18 & SURETY COMPANY (f/k/a THE AETNA
19 CASUALTY & SURETY COMPANY); ST. PAUL
20 FIRE AND MARINE INSURANCE COMPANY; THE
21 TRAVELERS COMPANIES, INC. (erroneously sued
22 as THE ST. PAUL TRAVELERS COMPANIES,
23 INC.); and THE STANDARD FIRE INSURANCE
24 COMPANY (erroneously sued and served as THE
25 STANDARD INSURANCE COMPANY)
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PROOF OF SERVICE BY MAIL

Del Webb Corporation, et al. v. Travelers Casualty & Surety Company, et al.

I, Nancy A. Teichert, declare as follows:

I am employed with the law firm of Riedl, McCloskey & Waring LLP, whose address is 550 West C Street, Suite 2050, San Diego, California 92101.

On March 2, 2010, I served the within document(s) described as:

NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. §1441(a) (DIVERSITY)

by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

<p>Scott S. Thomas, Esq. Matthew K. Brown, Esq. Payne & Fears LLP 7251 W. Lake Mead Blvd., Suite 525 Las Vegas, NV 89128</p> <p>Telephone: (702) 382-3574 Facsimile: (702) 382-3834</p> <p>Attorney for Plaintiffs</p>	<p>Thomas D. Beatty, Esq. Law Offices of Thomas D. Beatty 601 E. Bridger Avenue Las Vegas, NV 89101 Telephone: (702) 382-5111 Facsimile: (702) 382-3892</p> <p>Stephen Youngerman Youngerman & McNutt LLP 11150 West Olympic Blvd., Suite 900 Los Angeles, CA 90064 Telephone: (310) 478-3780 Facsimile: (310) 478-3831</p> <p>Attorneys for Defendant: American Guarantee & Liability Insurance Company</p>
<p>Carrie McCrea Hanlon, Esq. Pyatt Silvestri & Hanlon 701 Bridger Avenue #600 Las Vegas, Nevada 89101 Telephone: (702) 383-6000</p> <p>Jaymeson Pegue, Esq. Gar K. Hovannisian, Esq. Leslie Pegue, Esq. Nelsen, Thompson, Pegue & Thornton 12100 Wilshire Boulevard, Suite 500 Los Angeles, California 90025 Telephone: (310) 315-1001</p> <p>Attorneys for Defendants: Federal Insurance Company and the erroneously named Chubb Group of Insurance Companies</p>	

1 (X) (**By Mail**) I deposited such envelope in the mail at San Diego, California. The envelope
2 was mailed with postage thereon fully prepaid. I am readily familiar with the firm's
3 practice of collection and processing correspondence for mailing. It is deposited with the
4 U.S. Postal Service on that same day in the ordinary course of business. I am aware that
on motion of party served, service is presumed invalid if postal cancellation date or
postage meter date is more than one day after date of deposit for mailing in affidavit.

5 () (**By Federal Express**) I delivered to an authorized driver authorized by Federal Express to
6 receive documents, in an envelope or package designated by Federal Express with delivery
7 fees paid or provided for, addressed to the person on who it is to be served, at the office
8 address as last given by that person on any document filed in the cause and served on the
party making service; or at that party's place of residence.

9 () (**By Facsimile**) I faxed such document(s) from San Diego, California, to the facsimile
10 number(s) shown on the service list. The sending facsimile machine number is
11 (619) 237-3789. The transmission was reported as complete and without error and the
transmission report was properly issued by the transmitting facsimile machine.

12 I declare under penalty of perjury under the laws of the State of California that the
13 foregoing is true and correct.

14 Executed on March 2, 2010, at San Diego, California.

15 
16 Nancy A. Teichert